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Law & Reorder: An Interview with Deborah Epstein Henry

By DAVID LAT



Today is the official release date of [Law & Reorder](#), a new book by [Deborah Epstein Henry](#), a leading consultant to the legal profession. Henry, whom we've [interviewed](#) and [written about](#) before, is an expert on such topics as workplace restructuring, talent management, work/life balance, and the retention and promotion of lawyers — all topics that are covered in her book.

We chatted with Henry on Friday over the phone, about the changes taking place in the legal profession, whether they're good news or bad news, and how law students and lawyers can navigate in this new environment....

ATL: First, congratulations on the book! Great title. How did you come up with it?

My sister, Susie Rubin, is a copywriter, and she's very gifted. The breadth of the title captures the message of the book: redesigning the way work gets done across the profession.

ATL: Why did you decide to write this book?

I felt there were two major problems with the legal industry that I thought I could address with the book.

The first issue I call "making the exception the rule." There needs to be changes to both the legal employment model and the career path model. There are interesting alternatives to the way law has traditionally been practiced and to the standard hierarchical career path. One of the objectives of the book is to explore how these alternative models can become the new mainstream.

The second issue is the lack of alignment between the interests of three constituencies: the law firm, the client, and the individual lawyer. This lack of alignment has created a failure in how the profession functions. So another objective of the book is to develop a new way of practicing law that better aligns law firm, client, and lawyer interests while maximizing profitability, performance and satisfaction.

ATL: How long did it take you to write the book?

Fifteen months. I had been wanting to write a book for a while, and I actually was offered and declined a book contract about five years ago. When the market really started turning, all of the issues I'd been wanting to focus on came to a head. The downturn served as a good catalyst for discussion, a way of taking things to the next level.

ATL: Your book contains a significant amount of career advice. Tell us a bit about your own career path.

I graduated from law school in 1994, then clerked in the Eastern District of New York for two years, for Judge Jacob Mishler. I worked briefly at **Patterson Belknap** in New York, but then my husband got a job opportunity in Philadelphia, and so we moved there. I joined **Schnader Harrison** as a litigation associate in 1997.

I started **Flex-Time Lawyers** in 1999, while I was still practicing as a litigator. The response was so favorable that after three years of running the organization pro bono, I formalized the consulting I had developed and in 2002, I stopped practicing law to focus exclusively on my consulting business.

Over the years, my consulting has grown to focus on four areas: workplace restructuring, talent management, work/life balance, and retaining and promoting lawyers, with a focus on women. Since the consulting practice is much broader than workplace flexibility issues, I will keep the Flex-Time Lawyers name but I have also started a new consulting firm taking on the name of my book, Law & Reorder, which more accurately conveys the scope of my consulting.



ATL: Who would be the ideal readers for this book?

There are two parts to the book, so it's almost two books in one. Part I is written for legal employers, mostly in-house legal departments and law firms. It's written from a management perspective, advising partners and managers on how the industry should change, as well as surveying industry trends. Part II is the complement to that – it is written to provide career advice to lawyers and law students.

One thing I've been struck by is how legal management books focus almost exclusively on the managerial point of view. There's no mention of the fact that in order to be a profitable business, you have to be responsive to and

capitalize on the strengths of the talent pool. And in the career advice books, I've always been surprised that there's no mention of the larger infrastructure and environment in which lawyers practice.

A significant objective of my book is to have each constituent know what the other is thinking and doing, so there's an alignment between law firm, client, and lawyer interest.

ATL: The first part of your book describes changes to the legal profession. Can you talk a little about those changes and whether you see them as good or bad for the profession overall?

If the profession invests in the changes that need to be made, it will ultimately become an increasingly high-performing and personally satisfying profession and we'll be better off in the long run.

That being said, there's a lot of discussion about the decreasing need for lawyers overall. That may be a reality — and a painful part of this process.

Along these lines, employers are talking about hiring fewer lawyers but retaining more of them and nurturing them to stay. Contrast this with a model that expects 85 percent of incoming lawyers to leave.

The new model is healthier, but it will take investment and there will be fallout.

After the book galley was done, we sent it out to obtain testimonials. The response from in-house legal departments and general counsels, in particular, was very strong, and I believe it's because they recognize, more than anyone else, the irrefutable need for change. You can see this in the testimonials collected on the book [website](#).

ATL: The second part of your book offers advice to law students and lawyers about how to navigate this changing environment. Can you offer a few themes to our readers?

The overall theme of Part II is about lawyers becoming their own entrepreneurs. There's been a traditional notion that we are professionals and not businesspeople. That notion has to fall by the wayside. What I mean by entrepreneurship is lawyers demonstrating creativity and resilience to chart their own courses, as opposed to waiting for senior lawyers to show them the way.

Another theme: doing top-notch legal work is a minimum threshold. Of course lawyers need to be talented contributors. But, from the beginning, they need to also focus on the other intangibles to success. These include mentoring relationships, leadership, negotiation, time management, networking, and transition.

ATL: Okay. Let's say I'm a humanities major about to graduate from a liberal arts college. I'm not really sure what to do with myself, but I'm thinking of going to law school. What would you advise me?

It's important to know yourself and your strengths, and whether your strengths will translate into the skills of a lawyer, but you also need to understand the marketplace. One of the real mistakes prospective lawyers tend to make is that they focus exclusively on their individual needs, desires, and strengths. That's important, but it's only half of the picture. The other half is understanding the environment in which you seek to practice.

You need to understand how legal employers work, what the market demands, and whether you'd thrive in the legal environment. This is what I discuss in Part I of the book, looking at trends and changes in the market for legal services, and Part II would guide you to navigate these changes to thrive as a lawyer.

ATL: Thanks for taking the time to chat. Congrats again on the book!

[Law & Reorder: Legal Industry Solutions for Restructure, Retention, Promotion & Work/Life Balance](#) [official website]

[Law & Reorder](#) [American Bar Association]